

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE
LICENSE OF

JOAN R. BUCHANAN-MOORE, R.N.
License # 26NR12008700

TO PRACTICE NURSING IN THE
STATE OF NEW JERSEY

Administrative Action

**FINAL ORDER
OF DISCIPLINE**

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Joan R. Buchanan-Moore (Respondent) is a registered professional nurse in the State of New Jersey and has been a licensee at all times relevant hereto.
2. On or about March 19, 2014, a letter issued on behalf of the Board, asking Respondent for information and documentation concerning her February 8, 2014 arrest for theft of services, her nursing employment, and her continuing education completed in the last three years.
3. The letter was sent by certified and regular mail to Respondent's address of record with the Board. The receipt for the certified mailing was signed upon delivery. The regular mailing was not returned. No response was received.

4. On Respondent's 2013 renewal application, Respondent indicated that she would have completed all required continuing education for the June 1, 2011 - May 31, 2013 renewal period by May 31, 2013.

CONCLUSIONS OF LAW

Respondent's failure to respond to the inquiry on behalf of the Board constitutes a failure to cooperate with a Board investigation in violation of N.J.A.C. 13:45C-1.2 and 1.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

Respondent's failure to provide documentation of continuing education completed for the June 1, 2011 – May 31, 2013 renewal period is interpreted as a failure to timely complete required continuing education and thus a violation of N.J.A.C. 13:37-5.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's indication on her renewal application that she would have completed all required continuing education for the June 1, 2011 – May 31, 2013 renewal period by May 31, 2013 constitutes misrepresentation in violation of N.J.S.A. 45:1-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a suspension, reprimand, and seven hundred and fifty dollar civil penalty (\$750) was entered on July 7, 2014. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence

supporting Respondent's request for consideration and reasons therefor.

Respondent timely responded to the Provisional Order of Discipline by providing all the information requested in the Board's original letter of inquiry. Respondent maintains that the criminal matter is still pending, but that it involves a dispute over payment for repairs that were made to her car. She acknowledged that she did not respond to the Board's original letter of inquiry as she was hoping to have the criminal matter concluded before she responded to the Board. Regarding continuing education, Respondent provided certificates of completion for thirty hours of continuing education that she timely completed within the June 1, 2011 – May 31, 2013 biennial period.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary. Inasmuch as Respondent provided the information originally requested and demonstrated that she had timely completed the required continuing education, the Board determined that suspension was no longer warranted. Similarly, the two hundred and fifty dollar (\$250) civil penalty and the reprimand are no longer warranted because Respondent demonstrated that she timely completed her continuing education and provided a truthful answer regarding same on her renewal application. However, the Board determined that Respondent's failure to respond to the original inquiry, thereby necessitating the filing of the Provisional Order of Discipline, and review of Respondent's subsequent reply months later, warrants imposition of a five hundred dollar (\$500) civil penalty.

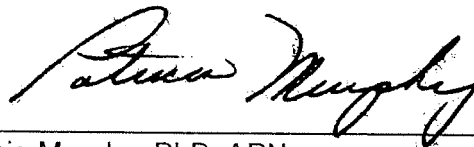
ACCORDINGLY, IT IS on this 3RD day of November, 2014,
ORDERED that:

1. A five hundred dollar (\$500) civil penalty is hereby imposed for the violation of N.J.S.A. 45:1-21(e). Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

2. The Board reserves the right to initiate disciplinary proceedings based upon the disposition of the criminal matter, which shall be provided to the Board by Respondent as soon as possible, and upon any new information the Board receives.

NEW JERSEY STATE BOARD OF NURSING

By:



Patricia Murphy, PhD, APN
Board President